

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

CENTRAL TEAMING COMPANY, INC.,)	
Plaintiff,)	
)	
v.)	
)	
DENOVO CONSTRUCTORS, INC,)	CAUSE NO.: 2:15-CV-230-JTM-PRC
Judgment-Defendant,)	
)	
and)	
)	
WASTE MANAGEMENT NATIONAL)	
SERVICES, INC.,)	
Garnishee-Defendant.)	

ORDER

This matter is before the Court on a Motion to Enforce Judgment by Proceedings Supplemental to Execution [DE 9], filed by Plaintiff on September 22, 2015. Plaintiff is the owner of a Judgment obtained against Judgment-Defendant DeNovo Constructors, Inc. in this Court on September 16, 2015, in the amount of \$211,214.20. Judgment-Defendant has made no payment toward the Judgment. Plaintiff represents it has no reason to believe that levy of execution against the Judgment-Defendant will satisfy the Judgment in full or in part and further represents that it believes that the Judgment-Defendant may be owed funds by Garnishee-Defendant Waste Management National Services, Inc., and that a writ of execution against the Garnishee-Defendant will satisfy the Judgment in full or in part.

Based on the foregoing, the Court hereby **GRANTS** the Motion to Enforce Judgment by Proceedings Supplemental to Execution [DE 9]. The Court **ORDERS** that the above named Judgment-Defendant, DeNovo Constructors, Inc. by its president, Jonathon Markoff, or other authorized representative, appear before this Court, located at Courtroom 5, United States

Courthouse, 5400 Federal Plaza, Hammond, Indiana, 46320 on **October 16, 2015, at 1:00 p.m. (CST)**, to answer as to non-exempt property subject to execution. The Court **ORDERS** the Judgment-Defendant to produce at that date and time the documentation and/or information requested in interrogatories and request for production of documents, if any, to be served by Plaintiff. The Judgment-Defendant is hereby advised that failure to appear as required or other disobedience of this Order may warrant sanctions by the Court.

The Court further **ORDERS** Garnishee-Defendant, Waste Management National Services, Inc., to appear **in person** by its authorized representative in this Court, located at Courtroom 5, United States Courthouse, 5400 Federal Plaza, Hammond, Indiana, 46320, on **October 16, 2015, at 1:00 p.m. (CST)** to answer as to the assets being held on behalf of Judgment-Defendant and as to its indebtedness to Judgment-Defendant, or, in the alternative, answer Interrogatories propounded by Plaintiff, under oath and in writing, **RETURNING** a copy of the Interrogatories together with responses to Plaintiff's counsel but not to the Court, prior to the hearing date. The Garnishee-Defendant shall also contemporaneously **FILE** with the Clerk of Court, United States District Court, 5400 Federal Plaza, Hammond, Indiana, 46320, a Notice indicating that it has served upon Plaintiff its answers to Plaintiff's Interrogatories, including the date the answers were served upon Plaintiff's attorney.

Plaintiff requests that Garnishee-Defendant be ordered to place a hold on payments to be made to Judgment-Defendant pursuant to Indiana Code § 28-9-3-4. However, this section of the Indiana Code pertains to depository financial institutions and deposit accounts. Consequently, this statute appears to be inapplicable to Garnishee-Defendant. *See* Ind. Code §§ 28-9-2-5, 28-9-2-6. However, pursuant to Indiana Code § 34-55-8-7(c), the Court **ORDERS** that the Judgment is a continuing lien upon the income or profits of the Judgment-Defendant in the hands of Garnishee-

Defendant from the date this Order is served upon Garnishee-Defendant and further **ORDERS** Garnishee-Defendant to place a ninety-day hold on payments to be made to Judgment-Defendant limited to the unpaid judgment balance of \$211,214.20.

The Court further **ORDERS** counsel for the Plaintiff to serve a copy of the Motion to Enforce Judgment by Proceedings Supplemental to Execution, this Order, and all other appropriate related documents on the Judgment-Defendant and the Garnishee-Defendant as provided for by Indiana Trial Rule 69(E).

So ORDERED this 23rd day of September, 2015.

s/ Paul R. Cherry
MAGISTRATE JUDGE PAUL R. CHERRY
UNITED STATES DISTRICT COURT